

## Message Text

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43

ACTION L-03

INFO OCT-01 ARA-16 ISO-00 PM-07 CIAE-00 INR-10 NSAE-00

RSC-01 DODE-00 SS-15 NSC-10 SSO-00 NSCE-00 INRE-00

DRC-01 /064 W

----- 003680

O R 031714Z OCT 73

FM AMEMBASSY PANAMA

TO SECSTATE WASHDC IMMEDIATE 8716

INFO AMEMBASSY SANTIAGO

GOV PANCANAL

USCINCSO

C O N F I D E N T I A L PANAMA 5358

EO 11652: GDS

TAGS: PFOR, PBOR, PQ, PN

SUBJ: ATTACHMENT OF M/CZIMIAS IN CANAL ZONE

REF: SANTIAGO 4554, PANAMA 5182, STATE 192341

1. EMBASSY HAS BEEN INFORMED THAT UNITED STATES MARSHALL ATTACHED MOTOR VESSEL IMIAS, WHICH WAS FLYING CUBAN FLAG, AT ABOUT 6:15 PM OCTOBER 2. VESSEL WILL BE HELD AT ANCHOR IN GATUN LAKE. IMIAS IS 514 FEET BY 64 FEET AND IS OWNED BY EMPRESA DE NAVEGACION MAMBISA, BELIEVED TO BE CUBAN CORPORATION.

2. LEGAL ACTION BROUGHT BY TWO CHILEAN CORPORATIONS, INDUSTRIA AZUCARERA NACIONAL, S.A., AND COMPANIA DE REFINERIA DE AZUCAR DE VINA DEL MAR, WHO ARE REPRESENTED BY CHILEAN ATTORNEY, ALFONSO ANSIETA NUNEZ, AND TWO CANAL ZONE ATTORNEYS, HARRY ALLEN, JR., AND BETTY OLCHIN.

3. VESSEL IMIAS WAS NOT INVOLVED IN TRANSACTION OUT OF WHICH CAUSE OF ACTION AROSE, BUT HAS BEEN SEIZED ON WRIT OF FOREIGN ATTACHMENT TO SECURE PLAINTIFF'S  
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CLAIM WHICH INVOLVES ANOTHER VESSEL. CLAIM, WHICH TOTALS

\$4.4 MILLION, IS BASED ON CONVERSION OF THREE-FOURTHS OF CARGO OF CUBAN SUGAR WHICH REMAINED TO BE UNLOADED AT VALPARAISO, CHILE, ON DAY OF OVERTHROW OF ALLENDE GOVERNMENT. THE SUGAR WAS ABOARD THE SS PLAYA LARGA, BELIEVED TO BE VESSEL CITED BY CUBA IN THE UNITED NATIONS AS HAVING BEEN STRAFED BY CHILEAN GOVERNMENT AIRCRAFT. PLAYA LARGA LATER TRANSITED PANAMA CANAL NORTHBOUND ON SEPT 24. THE CANAL ZONE SUIT SEEKS RECOVERY FOR THE UNDELIVERED SUGAR VALUED AT \$1.7 MILLION AND FOUR (4) PORTABLE CRANES BELONGING TO ONE OF THE PLAINTIFFS, WHICH REMAINED ON BOARD AS PLAYA LARGA DEPARTED. ALLEGED VALUE OF THE CRANES IS \$240,000 AND ADDITIONAL DAMAGES ARE SOUGHT DUE TO NECESSITY OF CLOSING SUGAR REFINERY IN VIEW OF NON-DELIVERY OF CARGO.

4. M/V IMIAS WILL BE HELD FOR SALE OF SHIP AND CARGO UNLESS BOND IS PROVIDED. COUSEL ADVISES \$5 MILLION BOND WILL BE ACCEPTED. NO LOCAL COUNSEL FOR DEFENDANT EMPRESA DE NAVEGACION MAMBISA HAS YET APPEARED. SHIP COULD ALSO BE RELEASED UNDER PRINCIPLE OF SOVEREIGN IMMUNITY (WERE THAT SUGGESTED) AND IF COURT ACCEPTED PRINCIPLE AS APPLICABLE TO FACTS OF THIS CASE.

5. PLEASE NOTE FBIS KEY WEST P 031209 AND P 031235 OCTOBER 1973 HAVANA DOMESTIC SERVICE REFERRING TO ATTEMPTED DETENTION BY CZ OF MARBLE ISLAND. MESSAGES ALSO REFER TO PLAYA LARGA, JIGUE AND IMIAS. DANIELS

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## Message Attributes

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**Current Classification:** UNCLASSIFIED  
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**Disposition Authority:** golinofr  
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